

Please amend Claim 6. Amendments to the claims are indicated in the attached "Marked Up Version of Amendments" (page i).

6. (Twice Amended) ~~A method~~ of inducing hair growth in a mammal comprising inhibiting apoptosis in epidermal keratinocytes.

REMARKS

The Examiner states in the Office Communication dated 16 August 2002 that the Amendment filed on 4/11/02 is non-responsive. The Examiner further states that the claims were amended in such a way that they are now drawn to a non-elected invention. Applicants respectfully disagree with the conclusions that inducing hair growth in a vertebrate and preventing hair loss in a mammal are independent and distinct, are practiced with materially different process steps for materially different purposes, and require a non-coextensive search because of different starting materials, process steps and goals.

As a practical matter, "inducing hair growth" and "preventing hair loss" are equivalent. If a hair continues growing, it does not enter telogen and fall out. Reversal of male pattern baldness is achieved by stimulating new and longer hair cycles, not by preventing hair loss, strictly speaking. Similarly, for example, prevention of hair loss after cancer chemotherapy or as a result of the autoimmune disease alopecia areata is achieved by manipulations that encourage continued growth of scalp hairs. The end result of inducing continued hair growth that one observes is the same – that hair loss is prevented.

However, to expedite prosecution, Claim 6 has been amended, and as now amended, is drawn to a method of inducing hair growth in a mammal. Claims 7-10 are dependent on Claim 6, directly or indirectly.

CONCLUSION

The Examiner is respectfully requested to consider the above amendments and remarks. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

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MARKED UP VERSION OF AMENDMENTS

Claim Amendments Under 37 C.F.R. § 1.121(c)(1)(ii)

6. (Twice Amended) A method of [preventing hair loss] inducing hair growth in a mammal comprising inhibiting apoptosis in epidermal keratinocytes.

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